

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff(s),

v.

SAMUEL DAVIS,

Defendant(s).

Case No. 2:09-CR-78 JCM (GWF)

ORDER

Presently before the court is defendant Samuel Davis's (hereinafter "defendant") motion to strike. (Doc. # 400). The government filed a response, (doc. # 403), and defendant filed a reply, (doc. # 405).

On March 25, 2011, defendant pleaded guilty to one count of conspiracy to commit money laundering and thirty counts of money laundering. (Doc. # 191). On October 27, 2011, defendant was sentenced to 57 months imprisonment. (Doc. # 207). Defendant appealed his sentence, and the court of appeals affirmed on February 1, 2013. *See United States v. Davis*, 706 F.3d 1081 (9th Cir. 2013).

Defendant now moves the court to strike the pleadings, report and recommendation, and orders in this case. (Doc. # 400). Defendant contends that he has had no proper notice, that there has been a mistake, and that the court is biased and prejudiced against him. (Doc. # 400). He alleges that the court's rulings constitute an abuse of process, abuse of discretion, and "capricious disregard" for the competent testimony and relevant evidence in this case. (Doc. # 400).

1 The government responds that defendant's motion should be summarily denied because it
2 is nonsensical and defendant's accusations are unsupported by the record. (Doc. # 403).

3 Federal Rule of Civil Procedure 12(f) provides that "[t]he court may strike from a
4 pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous
5 matter." Fed. R. Civ. P. 12(f). The court may do so "on motion made by a party . . . within 21
6 days after being served with the pleading." Fed. R. Civ. P. 12(f)(2).

7 Since his sentencing, defendant has moved to dismiss the indictment and inspect juror
8 lists. (Docs. # 392, 401). These motions were denied as lacking merit. (Docs. # 398, 402).
9 Similarly, defendant provides no grounds for granting his requests in the instant motion.
10 Defendant's motion to strike will be denied.

11 For the foregoing reasons,

12 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion to
13 strike, (doc # 400), be, and the same hereby is, DENIED.

14 DATED January 27, 2015.

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UNITED STATES DISTRICT JUDGE